

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WESTERN AGRICULTURAL INSURANCE
COMPANY, an Iowa corporation,

Plaintiff,

v.

No. 2:18-cv-01188-SMV-KRS

WHITNEY FARMS, LP,
a New Mexico limited partnership,

Defendant.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on April 16, 2019. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan.

IT IS, THEREFORE, ORDERED that the parties shall follow the following discovery plan:

- (a) Maximum of twenty-five interrogatories per party to the other party with responses due thirty days after service.
- (b) Maximum of twenty-five requests for production per party to the other party with responses due thirty days after service.
- (c) Maximum of twenty-five requests for admission per party to the other party with responses due thirty days after service.
- (d) Maximum of seven (7) depositions by each party. Depositions shall not exceed four (4) hours except for the depositions of experts, which shall be limited to seven (7) hours, or as otherwise extended by the parties.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Plaintiff's expert-disclosure deadline: **July 16, 2019**;
- (b) Defendants' expert-disclosure: **August 16, 2019**;
- (c) Deadline for supplementing discovery/disclosures: **September 27, 2019**;
- (d) Termination of discovery: **September 27, 2019**;
- (e) Motions relating to discovery: **October 1, 2019**;
- (f) All other motions, including dispositive and *Daubert* motions: **October 8, 2019**;
- (g) Pretrial order: Plaintiff to Defendants by: **October 8, 2019**;
 Defendants to Court by: **October 15, 2019**.

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition beyond four hours (seven in the event of experts) made during the deposition in question. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date so that the response to that request shall be due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the 21-day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZE
UNITED STATES MAGISTRATE JUDGE